

ASSEMBLY BILL

No. 1921

Introduced by Assembly Member Davis

February 16, 2010

An act to amend Section 87500.1 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 1921, as introduced, Davis. Political Reform Act of 1974: electronic filing.

Existing law authorizes the Counties of Los Angeles, Merced, Orange, and Stanislaus to participate in a pilot program to permit the electronic filing of statements of economic interests.

This bill would additionally authorize the Counties of Santa Clara and Ventura, as well as the City of Long Beach, to permit the electronic filing of the required statements of economic interests.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 87500.1 of the Government Code is
2 amended to read:

1 87500.1. (a) The Counties of Los Angeles, Merced, Orange,
2 ~~and Santa Clara, Stanislaus, and Ventura and the City of Long~~
3 ~~Beach~~ may permit the electronic filing of a statement of economic
4 interests required by Article 3 (commencing with Section 87300)
5 in accordance with regulations adopted by the Commission. Each
6 participating county shall use the standard form for electronic filing
7 found online, as required by the Commission.

8 (b) A public official subject to Article 2 (commencing with
9 Section 87200) shall not participate in the pilot program.

10 (c) A statement filed electronically must include an electronic
11 transmission that is submitted under penalty of perjury and that
12 conforms to subdivision (b) of Section 1633.11 of the Civil Code.

13 (d) (1) The filing officer shall issue to a person who
14 electronically files his or her statement of economic interests or
15 amendment electronic confirmation that notifies the filer that his
16 or her statement of economic interests or amendment was received.
17 The confirmation shall include the date and the time that the
18 statement of economic interests was received by the filing officer
19 and the method by which the filer may view and print the data
20 received by the filing officer.

21 (2) A paper copy retained by the filer of a statement of economic
22 interests or amendment that was electronically filed and the
23 confirmation issued pursuant to paragraph (1) that shows that the
24 filer timely filed his or her statement of economic interests or
25 amendment shall create a rebuttable presumption that the filer filed
26 his or her statement of economic interests or amendment on time.

27 (e) The filing officer shall utilize a system that includes
28 firewalls, data encryption, secure authentication, and all necessary
29 hardware and software and industry best practices to ensure that
30 the security and integrity of the data and information contained in
31 the statement of economic interests are not jeopardized or
32 compromised.

33 (f) The filing officer shall provide the public with a copy of an
34 official's statement of economic interests upon request, in
35 accordance with Section 81008. The paper copy of the
36 electronically filed statement of economic interests shall be
37 identical to the statement of economic interests published by the
38 Commission and shall include the date that the statement was filed.

39 (g) (1) The pilot program shall commence on or after January
40 1, 2009, and shall be completed by January 1, 2012. The pilot

1 program shall include the reporting periods of 2008 through 2010.
2 A county participating in the pilot program shall submit a report
3 to the Commission not later than July 1, 2011. The report shall
4 include the following:

5 (A) A listing and estimate of associated operational efficiencies
6 and related savings.

7 (B) A listing and estimate of associated costs from implementing
8 and operating the pilot program.

9 (C) A listing of safety, security, or privacy issues encountered
10 and explanation of how those issues were addressed.

11 (D) Available information relating to feedback from electronic
12 filing participants.

13 (E) Any other relevant information on the implementation of
14 the pilot program.

15 (2) The Commission shall transmit the county reports received,
16 as well as any comments on the reports, to the Legislative Analyst's
17 Office not later than August 15, 2011. The Legislative Analyst's
18 Office shall provide a report to the Legislature evaluating the pilot
19 program not later than February 1, 2012.

20 (h) The Commission, in conjunction with the Legislative
21 Analyst's Office, may develop additional criteria for the report to
22 be submitted to the Commission by participating counties pursuant
23 to paragraph (1) of subdivision (g).

24 (i) This section shall remain in effect until March 1, 2012, and
25 as of that date is repealed, unless a later enacted statute, which is
26 enacted before March 1, 2012, deletes or extends that date.

27 SEC. 2. The Legislature finds and declares that this bill furthers
28 the purposes of the Political Reform Act of 1974 within the
29 meaning of subdivision (a) of Section 81012 of the Government
30 Code.